

**Channel Islands National Marine Sanctuary
Marine Reserves Working Group Meeting**

February 15, 2001
8:30 A.M. – 5:00 P.M.
Waterfront Classroom
Santa Barbara Harbor
Santa Barbara, California

MEETING SUMMARY

Meeting Objectives

The objectives of this meeting were to:

- Ratify Language developed at last meeting regarding Phasing/Sequencing, Fisheries Management Outside Reserves, and Determinants of Reserve Size
- Craft Preliminary Spatial Options for review by Science Panel, Socio-economic Team, and Public At Large;
- Designate a time and location for one or more Public Meetings on Preliminary Spatial Options for Marine Reserves

In Attendance:

Mike Eng – Facilitator
John Jostes - Facilitator
Patty Wolf, Co-Chair
Matt Pickett, Co-Chair
Locky Brown
Marla Daily
Gary Davis
Bob Fletcher
Dr. Craig Fusaro
Dale Glantz
Neil Guglielmo
Greg Helms
Mark Helvey
Deborah McArdle
Chris Miller
Tom Raftican
Web Palmquist alternate for Steve
Roberson
Alicia Stratton

Sanctuary Staff – Satie Airame
DFG Staff – Paul Reilly, John Ugoretz

Public included approx. 20 people

Introductions:

The Marine Reserves Working Group (MRWG) members and the audience introduced themselves. John Ugoretz, Dept. of Fish and Gam, handed out the recently adopted Nearshore Sport Fishing regulations, clarified anchoring regulations and provided details on the Cowcod closure. For more information on the Cowcod closure, including the boundary go to <http://www.dfg.ca.gov/>.

Overview of Meeting Agenda

John Jostes – Described the meeting structure for the day as a workshop format to provide structure to work through unresolved issues – the Marine Reserves Working Group (MRWG) should strive to be productive and work toward achieving the best not the worst outcome, and avoid abandoning the process and progress to date. MRWG must go back to ground rules to guide the group, remember that the facilitators are to act as coaches.

Harry Liqournik, President SB County Commercial Fishermen association requested time to present kelp data and his perspective on urchin harvesting.

Facilitator's Report

1. Getting ready for next week's meeting.
2. Objective for the day is to understand the assumptions behind key issues of size, phasing and integrating fishery management into the reserves process.

Michael Eng – This is a very challenging process, three issues (size, phasing and integrating management) have emerged as central to moving forward. What does it mean to work together collaboratively to find common ground that deals with everyone's interest? To address this question requires a focus on interest based negotiations. There are solutions, and this group possesses immense creativity. Naturally people have been positional, but the goal is to meet each other's needs. So don't try and convince each other that your position is paramount. The time is approaching to come together, as the process draws to a close. Refocus on solving a problem collaboratively and meeting each other's needs. Other processes are taking place outside the MRWG, and there still is the opportunity to influence the policy on reserves in the state, nationally and internationally, but the window of opportunity is closing. I am optimistic that group can achieve its mission.

Outreach Efforts and Updates

Tom Raftican – Developed a handout for constituent outreach. He met with Santa Barbara Sportfishing Club, which is typically not politically based, and the club has started drawing maps. Introduced Merit McCrea who will stand in for Bob Fletcher at the next meeting. Bruce Trowbridge is also an alternate for Tom. Rich Holland contacted Tom, a reporter with Western Outdoor news is interested in the CINMS management plan.

Chris Miller – Talked to Ventura commercial fishermen who are concerned about the timeline moving to fast. Is there a new timeline?

Michael Eng- There is no new timeline. The Marine Life Protection Act is coming down the line, with statewide public meetings in July.

Mark Helvey – The Pacific Fisheries Management Council (PFMC) reserve efforts are underway. The process design committee, which Sean interacted with, developed a process and a budget to get money to begin Phase II. The PFMC Executive Director is aware of the MRWG process. The PFMC sees itself leading the integration of reserve processes, including reserves within Sanctuaries. One weak link is getting fishermen to buy-in, they are the overarching entity needed to pull this all together –but this makes the approach reserves species specific.

Sean Hastings– Presented to the PFMC an overview of the CINMS model, and discussed integration issues with the PFMC reserves committee.

Bob Fletcher - A reporter with Outdoor News has questions about the Sanctuary expansion and MRWG.

Neil Guglielmo – Attended Pt. Hueneme, Ventura and San Pedro fishermen meetings, where squid fishermen saw rough charts and acknowledged that they need to be involved. They said they could live with some reserves if they had a hand in creating them. Monterey fishermen are not supportive, and they have a concern over the Monterey Bay National Marine Sanctuaries role in reserves. The Monterey fishermen want letters of assurance of no new future reserves, validated scientific information, and a sunset on reserves that don't work. The Ventura County Fish and Game Commission wants permit requirements, a cap on fishing, net restrictions, and an extra day closure for squid fishing. Fishermen down south think reserve could work, but they are not happy with the idea.

Patty Wolf– Dept.Fish and Game is hosting scoping meetings on Nearshore Fishery Management Plan, and squid management meetings are to prepare a report for the legislature in April. Reserves are on the list for management tools in every fishery.

Reconstructing the Negotiation Process – A Short Overview of Interest-based Negotiation

John Jostes – In talking to MRWG members there are lots of ideas on what to do here, many perspectives. The idea of truth is relative to where you sit and your perspective. I shared a similar experience with the Burbank Airport expansion, which was a very complicated process. It focused on verbal combat and not solving problems. The MRWG group should focus on problem solving.

Six Interest-based Negotiation Basics:

1. Separate the people from the problem – agreeing on a problem solving approach
2. Focus on interests, not positions – what you want and why you want it

3. Consider your alternatives to a negotiated agreement
4. Invent options for mutual gain
5. Use objective criteria to compare options
6. Relationships Matter

Recall Dale's molecular diagram to balance all aspects of this process. Building agreement off of the problem statement, goals and objectives and recommendations to form consensus on a common understanding and common interests. Don't focus on the past, focus on the future, and build working relationships!

He sees committed leaders on MRWG to set a course and vision.

Dale Glantz – Regarding the diagram, remember the arrows go both ways between consensus and chaos.

John Jostes – Review the ground rules and the mission statement specifics and the role of the science panel. There is some ambiguity in the direction but that is not the issue. The Technical Panels act as advisors for the science based process and MRWG has to decide how to use their advice.

He continued a review of the operational definition of consensus. There are responsibilities with saying "no" because MRWG chose to be constructive about how you disagree, like with the example of determining goals and objectives.

What happens if impasse occurs? Jostes discussed exercising the different levels of agreement to determine comfort levels with the proposals.

Strawpolls are a means of testing what will work and not work for the group. For example, committing too early to a proposal may negatively effect working with others in the future.

If there is no agreement, figure out what we can agree on and what we can't agree on. Then we bring this back to the SAC. These are the basic principle rules of negotiation embodied in the ground rules.

Basic tools to moving forward:

- Seek joint gains, not winners and losers.
- Separate the people from the problems
- Don't get personal because it creates difficult behavior to deal with. This group has been personal from time to time.

Michael Eng- MRWG members have a high degree of integrity with each other. The challenge is to meet the interest of each other around the table. MRWG work is to meet each other's interest. Be sensitive to what each person has to do to deal with his or her constituents. Understand each other's needs. The challenge is to get it out on the table and work creatively as a group.

John Jostes – Dealing with interests and not positions are important. A common interest is the value and importance of the environment and ecology of the Islands. A reserve is one way to address this common problem.

Michael Eng- In contrast, a position is your solution to a problem. It is difficult for people to work with each other. If they understand your underlying reasons and interests there are lots of ways to creatively deal with the problem. These approaches will illicit collaboration.

John Jostes – Seek options for mutual gain. Everyone must be on the same page to work together and the group must stick together.

Michael Eng- There's got to be something for everyone in the final agreement, you may also help others get something that doesn't comprise your own interest.

John Jostes – Using objective criteria is critical and we have support panels, they provide yardsticks to use- not to horse-trade among each other. When going back to constituents you can use the objective criteria to get them on the same page of the MRWG, subjective criteria doesn't do this.

Objective criteria in this process are the habitat types, and comparing areas. Socioeconomic factors will provide criteria as well.

Relationships matter: just look at Chris and Greg. The strength of the relationship is essential because the reserve issue will be with the community for a long time. This is a long-term investment. If we leave hating each other then we haven't accomplished much. Don't burn bridges now, express differences constructively and continue to build on positive relationships. Success of implementation relies on relationships across organizations, agencies, constituents, etc.

Challenges have emerged, such as, not having enough information. We are doing risk management because we will not have a complete set of data. In learning how to deal with uncertainties speculate about what is ahead, making contingent agreements to deal with the future. Don't seek perfection. Instead of using selective information to attack each other, we have tried to use joint fact finding and common language to craft approaches to mutual gains.

Michael Eng – Using information to support your own position creates an interest vs. position situation. In a legal context this is how it works, but here in an interest based approach, you are not trying to convince each other on your position using the data, this is not the right tact here. Everyone must use all the available information and the uncertainties associated with it.

John Jostes – In considering options, your constituents may not be privy to the same discussions and the options you have been considering. It is important to work with them

to help them understand your thoughts and the group's thoughts. Focus on framing proposals that get support. It is easy to say this is what I will do if I don't get my way, this is a very negative approach. The easiest way to get heard is to say it positively. The facilitators will ask you to state things differently to help you communicate with each other. As we are moving toward the end, a concern we have is that we need to agree on something that allows wiggle room to address future issues as they come up. Adaptive management will be important. How we get surprised is more important than when we get surprised.

This is a political process. Since we can't play God with an open slate we need to recognize the context of the world we are in, politically, socially, economically, etc... We strive for a perfect solution, but what is feasible is what we get. Consider what progress can be made in light of not making any progress. Don't give up pursuing better solutions in the future.

Craig Fusaro –Thank you, this was a very useful review.

Resolving Key Issues prior to Crafting Spatial Options:

- The appropriateness of utilizing phasing as a component of designating marine reserves;
- The role of fisheries management outside and adjacent to designated Reserve Areas; and,
- The flexibility of reserve size (percentage set-aside) given the science panel's recommendations.

1. Phasing Alternatives:

A – No phasing

B – Unconditional phasing – Agree on a core area as a first step and agree without conditions on timing or sequence.

C – Contingent phasing – Agree on a core area and add additional areas based on certain specific uncertainties or situations.

D – Conditional phasing – Agree on a core area and add areas based on meeting or exceeding certain performance criteria.

E – Rotational phasing – Close a specific area within which certain specific areas are open and closed

F – Other options

Sequencing vs. Phasing

Sequencing is more certain, it provides another way of thinking about the issue.

Craig Fusaro– Add another option to phasing - set a portion of each site and allow them to grow over time, or different sites over time.

Greg Helms– How about scaleable phasing as another alternative?

Deborah McArdle – We have to understand what we are implementing.

2. Integration with Fisheries Management

A. No consideration of fisheries management.

B. No consideration within Sanctuary now. MRWG informs other regulations.

Expressed intention that MRWG Recommendations are considered later with other fisheries management dialogues (MLPA, MLMA, PFMC Regulations, etc.) but not vice versa? Credit should be given for beneficial effects of CINMS Marine Reserves in other regulatory initiatives, but not vice versa?

C. Possible consideration later. Need to define later.

Success of subsequent future regulations should be considered when and if future phases are refined and implemented?

D. Restriction on Take, not prohibition – Narrowly defined as “Incidental Take” areas which allow for managed species harvest, for example - recreational catch and release fishing and/or urchin harvesting within a buffer zone adjacent to core areas of the reserve.

E. Accommodate other regulations within the Sanctuary now

Give specific consideration within CINMS to the cumulative effects of the seasonal and/or species specific regulations and adjust reserve boundaries and or size now.

F. Other options

These options are really “when in the process” questions, or related to implementation.

MRWG Discussion

Bob Fletcher - This is too narrow of a definition, which needs to expand this to all types of regulations, for example PFMC groundfish calling for 50% reduction in fleet, which is not a seasonal or size related regulation.

Chris Miller– another option would be “Comprehensive Marine Protected Areas” which use reserves as an intermediary tool between fishery management and MPA’s.

Grandfathering in other guys, dealing with congestion and single species reserves.

Mike McGinnis – should we add technology gear requirements/restrictions, markets, allocation issues as well?

Chris Miller - Yes.

Tom Raftican - There has been effective federal and state management within CINMS

We should consider the status quo, as in the no reserve option.

Greg Helms- This process considers an ecosystem based approach, recognizing other processes, but our process is broader in scope, it is comprehensive with science and socio-economic input and is precedent setting. We should inject simplicity in management to have a superior approach.

Chris Miller– PFMC is offering an overview as a lead agency. Let's consider an option toward integration with a defined oversight body like the PFMC.

Add to list

- Designate/identify lead agency for fisheries management.

3. Reserve size and the Science Panel Recommendations.

- A. Use less than 20% as basis for reserves
- B. Use original CIMRRC 20%
- C. Use Common Areas
- D. Rely upon Science Panel recommendation of 30-50% range as the guiding criterion
- E. Utilize Science Panel Recommendation of 30-50%
- F. Plus insurance factor of additional 1.5x reserve area
- G. Substitute habitat quality as primary determinant.

MRWG Discussion

Marla Daily – There are no comparable percentage ranges from the socio-economic panel.

Michael Eng – The Socio-economic Panel is equipped to review the options, and that is why this process is iterative. New options are just that, options to learn from.

Craig Barilotti – Some people will fall through the cracks, there must be a place for individual fishermen to appeal their issues in this process.

Tom Raftican– Maybe add limited impact areas to protect certain species, recreational catch and release, surface fishing, urchin areas. The limited impact area would be transition between the two.

Add new option -Limited Impact areas – buffer areas, special management areas, integrating MPA's.

Chris Miller – The Science Panel recommendation relies on a literature review and we have the National Research Council report with specific recommendations for community support, this goes along with habitat quality, but has a broader scope of implementation. We haven't seen an actual product from the Science Panel that everyone has signed. We need to integrate the modeling exercise and the fisheries models. The scope of the Science Panel recommendation at the 11th hour expanded the stuff we have to consider –

I recommend we proceed with the NRC report, which is published and is out and we wait until we see the Science Panel peer reviewed paper.

Matt Pickett– We are using the Science Panel recommendation as a target and striving to hit that target while we try and maximize all of the goals.

Consider adding to the list - Using the NRC recommendation.

Small Group exercise to create a “package” of ideas from the lists above for: phasing, integration and reserve size.

John Jostes – These sets of ideas provide a structure to negotiate. After caucusing in small groups, we will utilize strawpolls for the various group packages to determine levels of support on phasing, integration and reserve size. Try to leverage packaging within everyone’s interest in mind.

The MRWG discussed how to proceed, there was concern over the ability to find a single package that would satisfy everyone.

Craig Fusaro– In addition to these ideas – where does funding and enforcement and management fit into this exercise?

Michael Eng – Those could be considered contingencies to the whole package.

Chris Miller–Is quid pro quo under contingencies? At the Fish and Game Commission (FGC), (Ex) Commissioner Boren said our freedoms may be restricted, this is the fishermen’s chance to shape a reserve proposal and the FGC will give something back.

Michael Eng- go to caucus, or assign mixed groups, or work homogeneously, and consider different options.

Craig Fusaro – Start with like minded people first and then mix it up.

Caucus time to discuss exercise.

MRWG reconvenes to discuss exercise and breaks into small groups.

Small Group Proposals –

Group1 Agency representatives plus Craig Fusaro–

1C – phasing w/ contingency

2B/E – B needs to consider vice versa, cowcod, MLPA must consider us. E is a given within CINMS.

3C/F – must start with common area, habitat criteria needs to take a holistic perspective consider cod closure example, good variety and habitat.

MRWG Discussion

Bob Fletcher – The PFMC strategic planning committee called for a 50% reduction of effort in the groundfish fishery. My understanding of 2B is that it ignores this committee's plan.

Response - No it doesn't.

Deborah McArdle – In my discussions with Satie regarding the Science Panel recommendation, the recommendation assumes that fisheries are at maximum sustainable yield (MSY), but we know that is not the case with many fisheries and other regulations.

Greg Helms- Using parts of each criterion, like 2B/E convolutes the exercise.

Group 2 proposal

1B, but with some future discussion, 2B, 3D

Greg Helms-we removed certain letters that don't meet the needs, but some level of combination may work.

Group 3 proposal

1D, 2E/some D with an adaptive management, with some status quo, 3 F +C

Chris proposal

1D, 2E, 3H

Neil proposal

1D, 2D, 3C

Group 1-second proposal

1B, 2C, 3F

Straw Poll of Proposals

The designated straw polling process (see groundrules) was used for each proposal above to find areas of agreement and disagreement. The results of the straw polls will guide the facilitators toward a refined "package" which will be presented at the next meeting.

LUNCH BREAK

John Jostes - What are the pros and cons on the options? Let's strive to rid the ambiguity.

Michael McGinnis – What does habitat quality mean? This led to some of his cautious straw poll votes.

Matt Pickett – we have crafted new language to address this concern.

Craig Fusaro – Agrees with Mike on the ambiguity of quality and during the break developed new language for the reserve size criteria -

“To utilize common ground areas, biological hot-spots and local knowledge to design a reserve network that incorporates all available information and advice.”

In discussion with others regarding habitat value, the Science Panel has pointed out that we don't know enough so we need to spread out and get a wide array and diversity of habitat. We also know from the fishing industry reef structures that are very specific areas and are commercially productive. Consider blending the two approaches. This certainly addresses the one identified crisis in rockfish and hard bottom.

Deborah McArdle– what is meant by biological hot spots?

Matt Pickett – we used the SITES model biological hot spots as a way for siting reserves.

Chris Miller – From the initial reserve proposal to close 20 % of Park waters there was the glaring problem of losing 80% of urchin grounds which correspond to specific communities that tie into a limited number of reef systems. I was hoping to present a proportional approach – it is not that all habitats are equal. He discussed connections of oceanography to certain areas that are resilient to harvest. This guided the fishermen exclusion charts. From a proportional perspective this avoids the problem of spreading out reserves that might take away important areas to fishermen. There are variations in concentrations of diversity and fishing pressure and connectiveness between areas and how fishermen use these areas. He would like this included into the process. The Science Panel doesn't have a lot of information, and can't explain to us what they do know. This makes a hard sell for me to my constituents. Some designs can work for guys but not on a percentage approach.

Michael Eng – does this clarify things or change them?

Clarifies them.

Sean Hastings – local knowledge in the definition is meant in its broadest sense, correct? Not just from commercial or recreational interests, but from all maritime perspectives.

Michael Eng – What is the strongest points of this proposal?

Clarifying language on 2 B/E – Consider current fishery regulations while designing reserves, and include a specific recommendation that agencies consider CINMS reserves when developing future plans and regulations.

Greg Helms – you are helping me move off of 1, still concerned about how you “consider” is too ambiguous. I see us “seesawing” between Science Panel advice to have big reserves to get fisheries to MSY because the fish regulations don't at this time, and Bob's concern that outside regulations should constrain how much we set aside.

John Jostes – how can it be phased to make it work?

Michael Eng- Consider the Cowcod closures as an example – different words – incorporate, integrate.

John Ugoretz – Consider the difference between conditions vs. contingency – An inappropriate *condition* would be an unmeasurable performance criteria because it takes too long to realize some criteria. Contingency – appropriate management is much more acceptable.

Greg Helms – collapse the two ideas of conditional and contingent –

Michael Eng- Are people rallying around contingent?

John Ugoretz – short-term contingency? Monitoring must happen. What does the ecosystem do vs. what can people do (i.e. administratively).

Mark Helvey – Contingent in the sense sounds more like an administrative contingency? How does adaptive management work into contingent? We should establish performance criteria that's biologically based.

Michael Eng – can the two be combined? Different time sequences?

Michael McGinnis – Has the question on defining habitat quality been resolved? Habitat quantity and quality are very different. Small but good habitat quality reserves do not achieve the agreed to MRWG goals.

Deborah McArdle– we have broader goals for all habitats, trying to avoid weighing habitats.

John Ugoretz – We shouldn't weight different habitats.

Michael McGinnis – Fears focusing on quality fishing areas not meeting his needs because it avoids the quantity of fishing areas.

Craig Fusaro – you consider both the fishing and Science Panel areas.

Michael Eng – Dr. Love showed us some historical areas that were good.

Deborah McArdle - Will each reserve have a diversity of habitats? We want to avoid a single species approach.

Craig Fusaro – If determining hot spots is the problem than the SITES model provides the identification.

Michael McGinnis – Recall the need for an insurance factor, consider the Galapagos oil spill.

Craig Fusaro – we are moving to clarify the proposals.

John Jostes – It takes time to get to clarity.

Michael McGinnis – This is the crux, quality/quantity and size in our negotiations.

Chris Miller – Science Panel, Love, Local Knowledge.
Issues with administrative and biological conditions/contingencies –
Size and performance are linked.

Bob Fletcher– who is the person that determines if the conditions are met?

In Reserve recommendations section there will be reference to developing performance measurements.

MRWG discussion ensued on how to word the proposals in order to move forward.

Presentation of Additional Economic/User Data from Commercial Fishing Representative – Harry Liquornik

San Miguel Island - Kelp coverage extent 1980-1989 was the maximum extent. Today the north side of San Miguel is hurting, and the south side has good kelp coverage.

Santa Rosa Island – kelp declined 50% in the traditional fishing grounds.

Santa Cruz Island – the common ground map captures 30% of kelp

Historical catch related to kelp – in 1995 surf was up over 10ft for 60 days ripping out kelp, this effected the harvest rate too.

Craig Barilotti – harvest and aerial picture doesn't tell the whole story, add in plant biology. Harvest tells us how much only on surface.

Comparing Catch Per Unit Effort over kelp abundance – size limits, effects on fishing
Log book information, Number of fishermen per area all need to be considered.

MRWG Questions on commercial industry practices –

Issues fishermen face -

- ◆ Fishermen Territorial areas,
- ◆ Ability to move to different areas,
- ◆ Relationship to other fishermen,
- ◆ Quality of habitat,
- ◆ Seasonal influences to maximize catch and quality with markets,
- ◆ Swells and storms

Bob Fletcher –limited use areas really appeal to each of us that individually are not impacting the system – i.e. urchin only, catch and release. Recreational boaters have backup spots, weather dependent, drifting charter boats and less anchoring. Party boats are limited by time and distance to where they can go to provide reward and opportunity for customers. Depending on which species we are after, dictates where we go.

Is there competition between vessels and harbors?

First come first serve, conditions dictate as well.

Chris Miller – some fisheries have limited areas they can fish, so closed areas inadvertently target a small number of guys.

Mike McGinnis– as Chris shopped around maps how have you dealt with territorial issues?

Chris Miller – not a problem. We have our own common ground approach, everyone gives up equal amount.

The fishermen data review committee has agreed to allow MRWG access to species by species information for mapping next week. This information will not leave the room at the end of the day.

John Jostes – Let's get back to trying to meet everyone's interest.

Tom Raftican– Fine with the Phasing and Integration suggestions, however, the Size and Science Panel recommendation – common ground is good, and the hot spots and local knowledge. But you haven't done anything by taking a wide array of interest and we are not accomplishing something.

Michael Eng – Can you suggest a way to move forward?

Tom Raftican – Fine with common ground, who else is troubled with trying to incorporate all interests? There are other ways, different types of management we are being forced into the box. There are significant problems. Limited impact areas need to be considered.

Bob Fletcher – like clarification on Phasing and Integration issues, concerned about reserve size, common ground areas are significant and hot spots and local knowledge – Some areas have had pressure, and may come back. I'm on the same page as Tom. Not comfortable with using all available advice, start with limited take areas that are low impact and this will expand on area with some level of protection, and over time we can look for changes and be adaptive. We could expand on low impact areas over 5 years, and may decide to shift these areas somewhere else, this avoids devastating fishermen, and offers ability to understand the benefits of what you have done. Santa Barbara Island, Science Panel has disparaged cowcod closure, area is large, pelagic fish visit these

areas on occasion. Need to recognize what cowcod closure has done and what it will protect.

Neil Guglielmo— concern over limited access areas that may be meaningless, as long as Tom and Bob are on a level field we are more in agreement on size. If they have priority than we are not on the same page - as long as we share impact, this is a user equity issue. Support recreational benefits as long it doesn't impact commercial fishing.

Michael McGinnis – Regarding phasing, the administrative reality and major failure of adaptive management is funding, and if this is conditional and fishermen politically cut funding than it fails. Second phase is built on administrative uncertainty. Regarding size and science panel recommendation – we need some level of insurance to support quality habitat, that these reserves will serve their function given natural and human impacts, using Steve Gaines peer reviewed paper on an insurance multiplier of 1.2 – 1.8x reserve area.

Michael Eng – other assurances without numbers?

Greg Helms – replication of reserves on all Islands creates assurance, this is not achieved by not considering one island over another.

Michael McGinnis –what other fishing technology needs to be considered? Also consider allocation problems and local and global markets, and placed based economy and need for restoring them.

Deborah McArdle– Proposal II doesn't mean we are not using considerations.

Chris Miller - Gear and technologies - working in a Sanctuary some fishing technology is more destructive to habitats– trawlers with lack of rolling gear or larger rolling gear can get into rocky habitat and coral areas. When you talk about honoring Science Panel recommendations it is tied to CINMS as a management unit. The Marine Life Protection Act is a unit for the Southern California Bight. This gets complicated.

John Jostes - Need to move on to mapping, but first we must resolve these critical issues.

BREAK

John Jostes – We are here to help you move forward in the best way you can. If we can't move forward now, than the next meeting is dedicated to deciding how we characterize what you can agree on and disagree on and what to do with it. What are contingencies for dealing with an impasse, the ground rules spell out how we move on.

Michael Eng- Let's review what we have agreed on. Can we sign off on the phasing and integration provisions.

Greg Helms – Conceptual support, details need to be resolved. Define what information to use. Concerned about SBI closure, non-equity situation, and uncertainties contingent on phasing that incorporates adaptive management as a constraint. Providing for extra insurance from external and human disasters. Suggested ways of dealing with these issues have been put up for the rest of the group to consider.

Additional ideas, ingredients, and elements.

Deborah McArdle – limited take areas should not be called reserves. And they should not dilute the amount of core areas, buffer areas are fine in that context.

Patty Wolf – I understand the intent behind gear and technologies, but can the MRWG address these issues? Different processes like Fisheries Management Plan (FMP) development would deal with these issues. Even the new Marine Protected Areas definitions and state processes don't address gear and technology controls, these are better addressed via the FMP arena.

Greg Helms – conservationist think about the scale of impact – factory trawlers vs. local seiners. Reserves need to be monolithic, tight and anticipate any changes. Agrees with Patty that this is not the forum.

Michael Eng – can we craft language in a recommendation to other entities?

Deborah McArdle- We don't want to pit one group against another.

Tom Raftican–there will be a problem with displacement regardless of size of reserves. Limited take areas may answer some displacement problems.

Matt Pickett – Are limited use areas a way of easing in the socio-economic impacts vs. phasing? Are they separate?

Tom Raftican– needs evaluation, see Owen's river quality trout fishing, catch and release. We are the largest body of users and we will have significant problems if we are displaced.

Michael Eng – clarify what you are talking about in addition to, or instead of with limited take?

Tom Raftican – we have come forward, a long way.

Bruce Steel - Buffer has an enforcement and political value, but there is problem with allowing just one gear type or user group. Along with the idea of phasing we should implement buffers as well, don't exclude other possibilities that are in our toolbag.

John Jostes – Calling limited take areas something else might give us gains over core reserve areas, people are talking about the same things in using other tools as added benefits.

Greg Helms– Some of us still believe that the MRWG goal is to create no take reserves, if we create a network that is scientifically valid, we can add limited take areas, as long as it is not a replacement for core no take zones.

Craig Fusaro – Considering the Cowcod closure – where are we on fisheries management and this closure?

Deborah McArdle– The way I understand this is that closure strives to bring us to MSY and we shouldn't reduce the science panel recommended size of reserves.

Chris Miller– The Science Panel recommendation doesn't address displacement of effort.

Sean Hastings – Yes it does address displacement. The Science Panel recommendation of 30-50% closures includes no change in effort in the open areas – whatever amount of effort is displaced will need to be reduced, not by this group, but by the fisheries managers. The MRWG should forward effort reduction recommendations along with their reserve recommendation.

Bob Fletcher – Cowcod and bacacio are not near MSY, but other species are probably close and the cowcod closure will help these species. Science Panel recommendation assumes current effort and there are several processes targeting reducing effort. These are major issues and the strategic plan will effect this, and still the science panel will probably not change reducing the amount of areas to set aside. Focus on large areas, that we can agree on that get good spots. But we are far from it.

Deborah McArdle– Are you open to considering Santa Barbara Island closures as recommended by the Science Panel as part of our spatial recommendation?

Bob Fletcher– There was a misstatement by Russ Vetter regarding the depth restriction of the Cowcod conservation area.

John Jostes – Deborah has suggested a good way to address Bob's concern.

Michael Eng – we can generate three proposals, or are we hung up on these issues to moving forward?

Chris Miller – we have agreed to phasing and considering fish management.

Michael Eng – Do we have closure on integrating fisheries management, has enough been offered to satisfy you (Bob)?

Bob Fletcher– We are still stuck on the Size issues.

Michael Eng – Does the approach described work for you? If yes we map and get maps out for review and feedback.

Bob Fletcher – Will we consider limited fish areas?

Matt Pickett– Maybe in at least in one of the options.

Bob Fletcher – I can recommend Merit (his alternate) address this in the next meeting, as long as this doesn't mean we are adding hot spots to common ground and adding other advice.

John Jostes – look at this as integration.

Craig Fusaro – are we looking to get consensus alternatives next week?

Michael Eng – yes, not as a final agreement, but to craft options for consideration

Michael McGinnis – what is the merit of small reserves with large mixed use areas? This is the impasse.

Michael Eng – we have to piece together the building blocks to the agreement.

Chris Miller – bring goals and objectives with us to mapping – if you can explain what we are doing on how we meet those goals and objectives to each other. We have different assumptions about the status of the resources. Science Panel has dumped fisheries management on us and they dumped their recommendation on us at the 11th hour.

John Jostes – what can we do to get to mapping next week?

Craig Fusaro – we can develop a range of options from small to large next week.

Michael Eng – a big spread will not move us to a single option, you need a clustering of options.

Deborah McArdle– Our approach makes this process transparent, and unlike past processes, we want this science based. We have set out goals to see what we can expect to gain – the Science Panel advice gives us something quantitative to measure. If there is another way of doing this then I am all for it – but it needs to be transparent and measurable – if we change the amount of area we protect than we have to be able to say what we are protecting.

Chris Miller – if the conservation people are saying they are willing to look at design this way, I have to be able to say what the design will do. Can't do this with %, until the

Science Panel signs on and gets this peer reviewed I want fisheries scientist to review their recommendation. I am willing to look at both sides.

John Jostes – straw poll, using assumption on phasing, sequences and size.

Matt Pickett – Can we shelf the size issue today and move on to mapping where size will obviously come up?

Michael Eng- with a working understanding of the assumptions?

Michael McGinnis – this approach does not work for me, I am left with no choice but to leave the MRWG process. As a volunteer this is not worth my time – good luck to the rest of you.

Michael McGinnis has left the room and the MRWG process.

John Jostes – We will need to deal with what to do with the lack of consensus. I suggest we not map. We may be able to reach out to Mike to see what it will take to bring him back in.

Greg Helms – Let me share some of what Mike is dealing with right now. Mike feels that the MRWG are not operating in good faith, what he did was honorable, because he could not compromise his interest. There are issues on the table that people have not budged on. I have thrown out ideas to move forward and I have taken heat from my own constituents to bridge the gap. I don't know what the sport fleets want? Given the Cowcod closure, I'm at a level 2 with where we are going.

Bob Fletcher – I came into this process thinking I could get away with a reserve that is not too big, somewhere out of the way. My industry is not at all supportive, Tom and I have brought the industry along reluctantly, and I will be here to the end I will not "sell industry down the river." I'm trying to best represent this industry that are being pummeled by a suite of things.

John Jostes – Greg has helped us understand why Mike had to leave.

Matt Pickett – It is too early to walk away, there is opportunity to create something, to reach compromise. We can all throw out our 1 and 2 votes later, please stick it out and see this process through.

Craig Fusaro – for some people, not just Mike, we try and optimize a lot of issues, compromise is unacceptable for some, as distasteful as this is, compromise is how progress is made. I hope we can revise collective thinking to bridge Mike. I would like the facilitators to talk to Mike.

Michael Eng – what will it take to address (Greg's) these issues?

Greg Helms – How about 20 % of Santa Barbara Island (SBI)?

Bob Fletcher – 80+% is already in reserve at SBI.

Greg Helms – It is not all gone nor a true no take zone, the cow cod closure is the result of the emergency status of the species and you want credit for actions that had to be taken. I can't get my community to understand what you think you are giving up. I have reached out and you are not offering anything. It keeps me from moving forward. You are not moving forward and yet you sit here with a veto power on any progress this group makes.

Michael Eng – Do you need some assurance from Bob that some degree of closure at SBI?

Greg Helms - yes

Tom Raftican– You are still focused on %.

Greg – No – I am concerned about the near shore species, for example, around Sutil Island at SBI.

Tom Raftican – That is a better argument but I still don't agree to giving up any of SBI.

John Jostes – Now the group is negotiating.

Chris Miller – We came in to this like an experiment to try new things and strive for representation.

Locky Brown– you mention Sutil Islands, are you locked into this area?

Greg Helms – No, the point is setting aside representative habitat around each of the Islands.

Michael Eng – Bob/Tom are you flexible with SBI?

Bob Fletcher – I'm not willing to give it up at this time, near shore species move into the cowcod closures and receive protection already.

Greg Helms– without SBI, can we move to ANI? I expected this. Can we move forward with the scales unbalanced around SBI. I will try and rethink other options

Tom Raftican – At SBI you have fish that move, time closures maybe, area closures - no.

Matt Pickett– is this really stopping us from mapping? Can we let the Science Panel and constituents in on this, and maybe we will be surprised at alternative ways of addressing these issues?

Bob Fletcher- we need one fishing map.

Chris Miller– we need to reach out to San Pedro fishermen when it comes to SBI.

John Jostes – I want the group to get to mapping, so I will get back to you on the Tuesday conference call. Please avoid email as substitute for face-to face communication. Explore ideas without committing.

The Meeting Adjourned.